

BARAFF, KOERNER & OLENDER, P.C.

ATTORNEYS AT LAW

THREE BETHESDA METRO CENTER, SUITE 640

BETHESDA, MARYLAND 20814-5392

DC (202) 686-3200

MD (301) 986-0500

FAX (301) 986-4844

RECEIVED

APR 21 1997

Federal Communications Commission
Office of Secretary

DOCKET FILE COPY ORIGINAL

ROBERT L. OLENDER*
JAMES A. KOERNER

April 21, 1997

OF COUNSEL
B. JAY BARAFF*
ROBERT BENNETT LUBIC*

*NOT ADMITTED IN MD

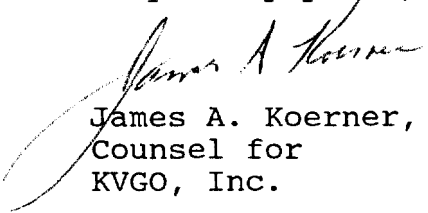
Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W. Room 222
Washington, D.C. 20554

Dear Mr. Caton:

On behalf of KVGGO, Inc., licensee of Radio Station KVGGO, Spring Valley, Minnesota, there are transmitted herewith an original and four copies of a Petition for Rule Making, looking toward the substitution of FM Channel 282C3 for Channel 282A at Spring Valley. A rule making proceeding is necessary since this also requires a channel change for an existing station at Osage, Iowa.

Should additional information be necessary in connection with this matter, please communicate with this office.

Very truly yours,


James A. Koerner,
Counsel for
KVGGO, Inc.

cc: Mr. Michael S. Borgen

28218.02

No. of Copies rec'd 024
List FOLDS

RECEIVED

APR 21 1997

Federal Communications Commission
Office of Secretary

Before the
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D. C. 20554

In the matter of)
)
Amendment of Section 73.202(b)) RM-_____
Table of Assignments)
FM Broadcast Stations)
(Spring Valley, Minnesota and)
Osage, Iowa,))

To: Chief, Allocations Branch

PETITION FOR RULE MAKING

KVGO, Inc. ("KVGO") hereby respectfully submits the instant Petition for Rule Making to amend the Commission's FM Table of Allotments to substitute Channel 282C3 for Channel 282A at Spring Valley, Minnesota, and to modify the license of KVGO for operation of KVGO (FM), Spring Valley, Minnesota for operation on the upgraded channel. In support whereof, the following is shown:

1. KVGO is the licensee of KVGO (FM), Spring Valley, Minnesota, and is presently authorized full 6 KW ERP class-A facilities on allocated channel 282A at Spring Valley.
2. As demonstrated in the Engineering Exhibit attached hereto, the instant Petition proposal will allow KVGO to upgrade to class C3 facilities, providing Spring Valley its first wide-area coverage station. There are no other FM stations allocated to Spring Valley.
3. The substitution of Channel 282C3 for Channel 282A at Spring Valley is mutually exclusive with the use of Channel 279A by KCZY (FM) at Osage, Iowa. Channel 254A is available for use at Osage, at the current KCZY transmitter site. Substitution of Channel 254A for Channel 269A will result in a fully-spaced allocation for Osage and will require only a

frequency change at KCZY. KCZY operates on the only FM channel allocated to Osage. KVGO hereby agrees to reimburse all reasonable costs of relocating KCZY to Channel 254A.

4. Channel 282C3 would be short-spaced to WXXX, Eau Claire, Wisconsin at the current KVGO transmitter site. Therefore, a fully-spaced reference point¹ is proposed, located approximately 20 kilometers west-southwest of Spring Valley. This reference point is in full compliance with 47 CFR 73.207 and other requirements.

5. Since the proposed substitution would provide Spring Valley its first wide-area coverage station, the instant proposal would be in the public interest. KVGO will immediately file the required FCC form 301 for authority to construct the Channel 282C3 facility upon grant of this Petition.

WHEREFORE, the foregoing considered, KVGO respectfully requests that the Commission GRANT the instant petition, and AMEND the FM Table of Allotments as shown below, and MODIFY the license of KVGO to permit operation on channel 282C3 at Spring Valley, Minnesota, and MODIFY the license of KCZY to permit operation on channel 254A at Osage, Iowa.

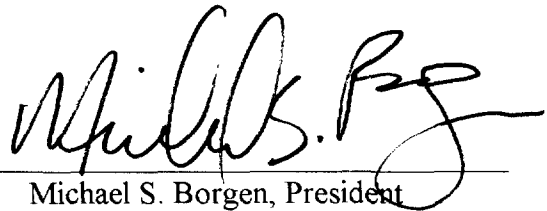
<u>Community</u>	<u>Present</u>	<u>Proposed</u>
Spring Valley, MN	282A	282C3
Osage, IA	279A	254A

Respectfully submitted,

KVGO, Inc.

¹ Proposed reference point is 43° 38' 23"N - 92° 38' 30"W.

The information contained herein is true and correct to the best of my knowledge, information, and belief, and the intent of submission is to accomplish the station upgrade as outlined in the Petition.

By: 
Michael S. Borgen, President

KVGO, Inc.
P. O. Box 370
Preston, MN 55965
(507) 765-3856

April 6, 1997

**ENGINEERING EXHIBIT FOR
KVGO, INC.
K V G O (F M)
SPRING VALLEY, MINNESOTA**

This engineering exhibit was prepared in support of a Petition for Rulemaking being filed by KVGO, Inc. ("KVGO"), licensee of KVGO, Spring Valley, Minnesota, to amend 47 CFR 73.202(b) as follows:

Presently, Spring Valley, Minnesota is allocated FM channel 282A. KVGO proposes that channel 282C3 be substituted for channel 282A at Spring Valley, and that the license of KVGO be modified to specify operation on channel 282C3 rather than 282A. KVGO will file FCC form 301 reflecting this change as soon as the allocation is modified.

The proposed channel substitution at Spring Valley requires that the allotment of channel 279A at Osage, Iowa also be changed. Channel 254A is available for use at Osage at the currently licensed transmitter site of KCZY, the station operating on the Osage allotment. Channel 254A is in full compliance with 47 CFR 73.207 from the site authorized in the KCZY license.

The channel upgrade at KVGO will result in Spring Valley having its first wide area coverage station. Substitution of channel 254A for channel 279A at Osage will require only a frequency change at KCZY.

The current KVGO transmitter site would be short-spaced to one stations if used for the proposed channel 282C3 allotment. Therefore, the petitioner is proposing a different fully-spaced reference point for the Spring Valley channel:

Mueller Broadcast Design

613 S. La Grange Road
La Grange, Illinois 60525

43° 38' 23"N - 92°38' 30"W

The attached tabulation illustrates the spacing situation for both the channel 282C3 allocation at Spring Valley, plus the channel 254A allocation at Osage. Both are in full compliance with the relevant provisions of 47 CFR 73.207.

<u>Community of License</u>	<u>Present</u>	<u>Proposed</u>
Spring Valley, Minnesota	282A	282C3
Osage, Iowa	279A	254A

It is respectfully submitted that the substitution of channels as outlined herein is in the public interest, will result in a more efficient distribution of allocations and expand broadcast service to the public.

This engineering exhibit was prepared by me and is true and correct to the best of my knowledge and belief.

April 3, 1997



Mark A. Mueller

Mueller Broadcast Design

613 S. La Grange Road

La Grange, Illinois 60525

TABLE E-1

FM Channel Search for: **KVGO, Spring Valley, Minnesota**
Coordinates used: **43-38-23/ 92-38-30**

NOTE: All distances are in Kilometers. Any stations which
clear by more than 100 KM are not included in list.

Study for channel 282-C3 (104.3 MHz)-----Spacing-----

CH#	Call	File	Location	Class	Actual	FCC	Clearance
228	(	93.5	MHz)				
No stations clear by less than 100 kilometers.							
229	(	93.7	MHz)				
No stations clear by less than 100 kilometers.							
279	(	103.7	MHz)				
	KCZY	LIC	Osage	IA A	39.3	42	Move to 254A.
280	(	103.9	MHz)				
No stations clear by less than 100 kilometers.							
281	(	104.1	MHz)				
	KMJZ	LIC	St. Louis Park	MN C1	162.3	144	18.3 @ 346.5°
282	(	104.3	MHz)				
No stations clear by less than 100 kilometers.							
283	(	104.5	MHz)				
	KLJY	LIC	Blue Earth	MN C2	118.3	117	1.3 @ 271.7°
	WAXX	LIC	Eau Claire	WI C	176.1	176	0.1 @ 49.1°
284	(	104.7	MHz)				
	KVIK	LIC	Decorah	IA A	78.6	42	36.6 @ 119.8°
285	(	104.9	MHz)				
	KRFOFM	LIC	Owatonna	IA A	64.8	42	22.8 @ 318.4°

This channel can be used by a class C3 station.

KVGO excluded from this study.

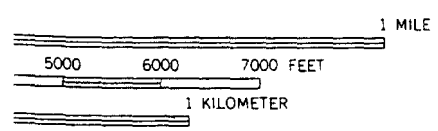
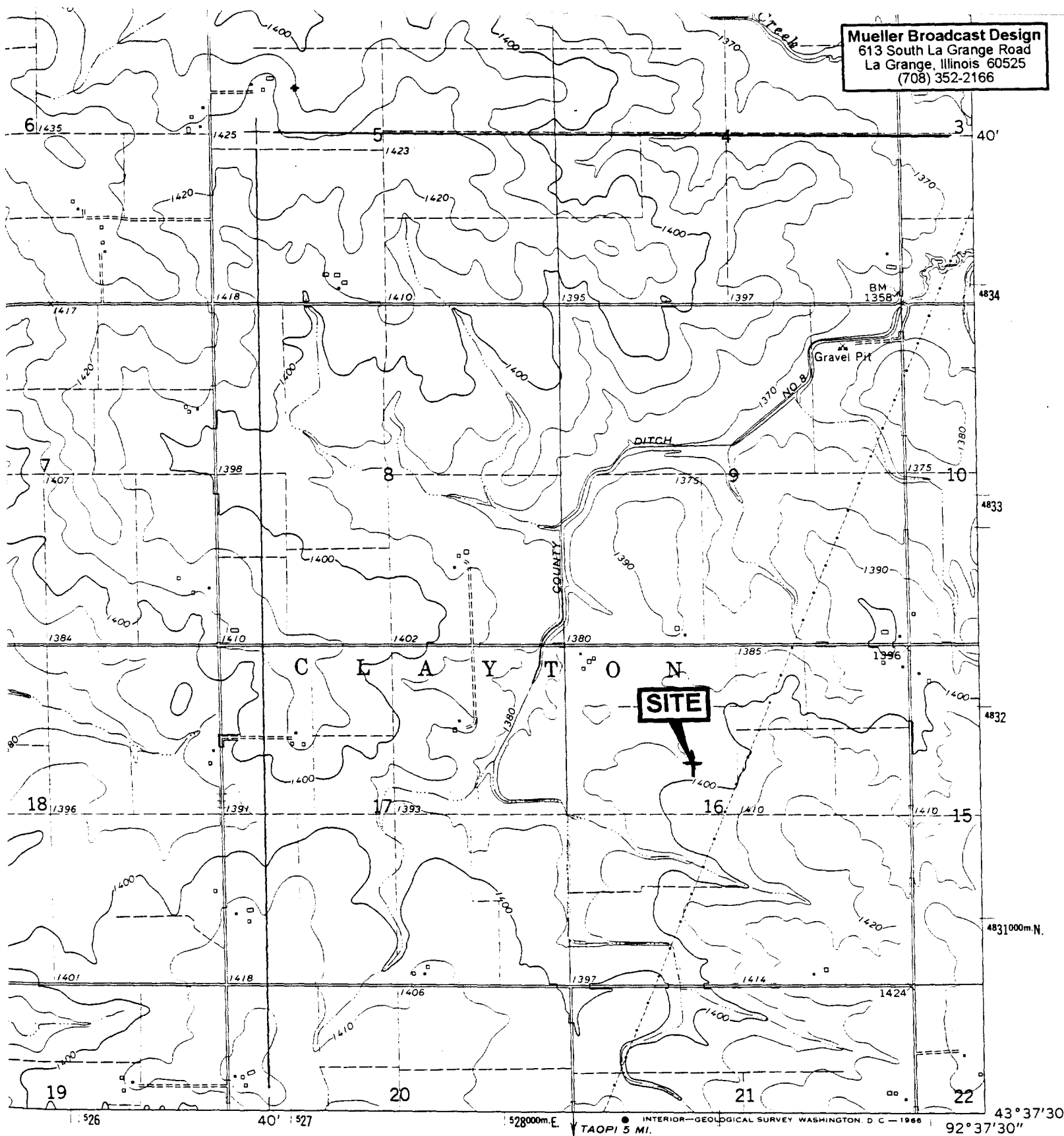
KCZY assumed moved to channel 254A.

Mueller Broadcast Design613 S. La Grange Road
La Grange, Illinois 60525**TABLE E-2**FM Channel Search for: **KCZY, Osage, Iowa**
Coordinates used: **43-19-20/ 92-51-22**NOTE: All distances are in Kilometers. Any stations which
clear by more than 100 KM are not included in list.
Closest stations or allocations listed.

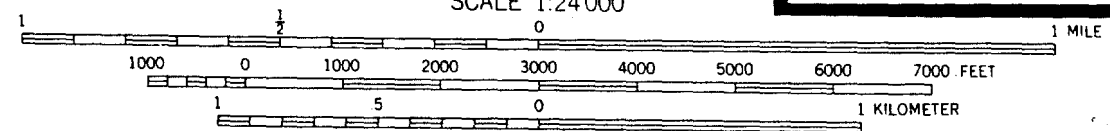
<u>Study for channel 254-A (98.7MHz)</u>				<u>-----Spacing-----</u>			
<u>CH#</u>	<u>Call</u>	<u>File</u>	<u>Location</u>	<u>Class</u>	<u>Actual</u>	<u>FCC</u>	<u>Clearance</u>
201 (88.1 MHz)							
	KBBG	LIC	Waterloo	IA C3	99.9	12	87.9 @ 154.1°
251 (98.1 MHz)							
	KBEW	LIC	Blue Earth	MN C3	109.3	42	67.3 @ 291.0°
252 (98.3 MHz)							
	KQYB	LIC	Spring Grove	MN C2	97.4	55	42.4 @ 65.4°
253 (98.5 MHz)							
	KKCV	LIC	Cedar Falls	MN C3	104.7	89	15.7 @ 158.9°
254 (98.7 MHz)							
	KISD	CP	Pipestone	MN C	257.6	226	31.6 @ 285.5°
255 (98.9 MHz)							
	NEW	APP	Parkersburg	IA A	77.0	72	5.0 @ 183.0°
256 (99.1 MHz)							
	KEEZFM	LIC	Mankato	MN C1	142.9	75	67.9 @ 299.2°
257 (99.3 MHz)							
	KWAYFM	LIC	Waverly	IA A	75.5	31	44.5 @ 155.4°

This channel can be used by a class-A station.

Mueller Broadcast Design
613 South La Grange Road
La Grange, Illinois 60525
(708) 352-2166



SCALE 1:24 000



CONTOUR INTERVAL 10 FEET

Allocation Reference Point Site
KVGO, Inc.
Spring Valley, Minnesota
Chan. 282 • Class C3 • 25 KW ERP • 100 M HAAT
April 1997

DEXTER, MINN.
N4337.5—W9237.5/7.5

1965

Figure E3

Mueller Broadcast Design
613 South La Grange Road
La Grange, Illinois 60525
(708) 352-2166

Calculated Service Contours
KVGO, Inc.
Spring Valley, Minnesota
Chan. 282 • Class C3 • 25 KW ERP • 100 M HAAT
April 1997

Scale 1:500,000
1 inch equals approximately 8 miles

Figure E

Calculated Service Contours
KVGO, Inc.
Spring Valley, Minnesota
 Chan. 282 • Class C3 • 25 KW ERP • 100 M HAAT
 April 1997

1 inch equals approximately 8 miles

A horizontal scale bar with markings at 0, 10, 20, 30, and 40 miles.

10 0 10 20 30 40 50 Kilometers

Figure E

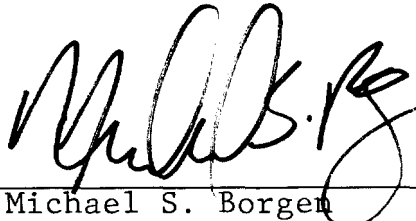
CERTIFICATE OF SERVICE

I, Michael S. Borgen, President of KGVO, INC., hereby certify that I have caused to be served, this 16th of April, 1997, a copy of the foregoing "Petition for Rule Making" via First Class US Mail on the following:

Kevin Lein
Vice President of James Ingstad Broadcasting of Iowa,
Licensee of KCZY
341 Yorktown Pike, Mason City, IA 50401

AND

Theron Hayse
General Manager of James Ingstad Broadcasting of Iowa,
Licensee of KCZY
P.O. Box 592, Charles City, IA 50616

 4/16/97

Michael S. Borgen Date